IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2429 OF 2006

Jai Ambe Kripa Mandal .... Petitioner
Vs.
The Municipal Corporation of
Greater Mumbai .... Respondents

None for the Petitioner.
Ms S. Ajitkumar for the Respondents.

CORAM: R.M.S. KHANDEPARKAR &
D.G. KARNIK, JJ.

DATED: APRIL 25, 2007

P.C:

None present for the petitioner. Ms S. Ajitkumar present for the respondents. Perused the petition and the annexures thereto.

The petition challenges the orders passed by the Assistant Commissioner as well as the Deputy Commissioner of the respondent-Corporation. The matter relates to the question of legality of the structure which is ordered to be demolished. There are disputed questions of fact involved in the matter and the adjudication in respect thereof is not permissible in writ jurisdiction. Hence the question of interference in the impugned order in writ jurisdiction does not arise. The petition, therefore, is rejected.

(D.G.Karnik, J.) (R.M.S.Khandeparkar, J.)

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